IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 10586 of 2005

Between:

M.J.R. Reddy, S/o Bapireddy, Vidyanagar, Karimnagar, Karimnagar District.

..... PETITIONER

AND

The Depot Manager, Andhra Pradesh State Road Transport Corporation, Karimnagar-I Depot, Karimnagar District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or directions, more in the nature of Writ of Mandamus, declaring the Office Order dt. 10-4-1995 as illegal and arbitrary and set aside the same with all consequential benefits including arrears and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.GOVINDA RAJULU

Counsel for the Respondent: SMT.P.RAJANI REDDY

The Court made the following :

ORDER:

The writ petition is filed questioning the imposition of punishment of deferment of two increments with cumulative effect, without conducting the departmental enquiry against the petitioner by the respondents.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondent.

It is not in dispute that the punishment has been imposed on the petitioner without conducting any departmental enquiry. It is well settled that imposition of major punishment must be preceded by a regular departmental enquiry.

Having regard to the facts and circumstances of the case, the major punishment of deferment of annual increments for a period of two years with cumulative effect imposed by the respondent can be reduced with slight modification.

Therefore, the impugned order of punishment is modified as deferment of two annual

increments without cumulative effect.

The writ petition is disposed of accordingly. No costs.

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29-04-2005

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1. The Depot Manager, Andhra Pradesh State Road Transport Corporation, Karimnagar-I Depot, Karimnagar District.

2. Two CD copies.